

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed May 20, 2005. At the time of the Office Action, Claims 1, 4-19 and 22 were pending in this Application. Claims 2, 3, 20 and 21 were previously cancelled by Applicants without prejudice or disclaimer. Claims 18, 19, and 22 were rejected, and Claims 1 and 4-17 were allowed. Claims 18, 19, and 22 have been canceled. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 18-19 and 22 were rejected by the Examiner under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,804,096 issued to Junichi Nagata ("Nagata"). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the claimed embodiment of the invention. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1997). Furthermore, "the identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicant respectfully submits that the cited art as anticipatory by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims. However, in order to move the prosecution of the current application forward, the Applicants have cancelled Claims 18, 19 and 22.

Allowable Subject Matter

Claims 1 and 4-17 are allowed.

CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the claims as amended.

Applicants enclose a Petition for a One Month Extension of Time, and a check in the amount of \$120.00 for the extension fee. Applicants believe there are no additional fees due at this time, however, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P. in order to effectuate this filing.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2545.

Respectfully submitted,
BAKER BOTTs L.L.P.
Attorney for Applicants



Andreas Grubert
Limited Recognition No. L0225
Limited Recognition Under 37 C.F.R. §11.9(b)

SEND CORRESPONDENCE TO:
BAKER BOTTs L.L.P.
CUSTOMER ACCOUNT NO. 31625
512.322.2545
512.322.8383 (fax)

Date: September 15, 2005